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CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY DM
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[Additional Counsel on Signature Page]

*Counsel for Plaintiffs Ronald Chinitz, Sarah Bumpus,
and Rosemary Rodriguez and the Proposed Class*

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

AUSTIN DIVISION

1:20CV0984 RP

RONALD CHINITZ, SARAH BUMPUS, and
ROSEMARY RODRIGUEZ, *individually, and
on behalf of a class of similarly situated persons,*

Plaintiffs,

v.

REALOGY HOLDINGS CORP., REALOGY
INTERMEDIATE HOLDINGS LLC,
REALOGY GROUP LLC, REALOGY
SERVICES GROUP LLC, REALOGY
BROKERAGE GROUP LLC (f/k/a NRT
LLC), and MOJO DIALING SOLUTIONS,
LLC,

Defendants.

Case No. _____

**PLAINTIFFS' OPPOSED MOTION TO
COMPEL COMPLIANCE WITH
PLAINTIFFS' SUBPOENA TO NON-
PARTY ARCH TELECOM, INC.**

Pursuant to Federal Rule of Civil Procedure 45(d)(2)(B), Plaintiffs Ronald Chinitz, Sarah Bumpus, and Rosemary Rodriguez hereby move for an order compelling non-party Arch Telecom, Inc., to produce and permit inspection and copying of documents and electronically stored information (“ESI”) responsive to Plaintiffs’ requests for production of documents attached to a subpoena that was served on Arch Telecom, Inc., on June 30, 2020 (the “Subpoena”).

Plaintiffs make this motion on the grounds that the documents and ESI they seek are non-privileged, relevant, and proportional to the needs of the case, *see* FED. R. CIV. P. 26(b)(1), and Arch Telecom, Inc.’s objections and refusal to comply are unsubstantiated and meritless.

A Certificate of Conference pursuant to Local Civil Rule CV-7(i) of the Local Court Rules of the United States District Court for the Western District of Texas is attached to the accompanying memorandum of law. Plaintiffs have also filed the Declaration of George V. Granade and accompanying exhibits in support of the motion.

Plaintiffs respectfully request that this Court grant this motion to compel and order Arch to produce documents and ESI in response to Requests Nos. 1 through 11 and 18 through 30 of the Subpoena within ten days of the Court’s order.

Date: September 24, 2020

Respectfully submitted,

By: /s/ Lance N. Stott

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LLC), *and* MOJO DIALING SOLUTIONS,
LLC,

Defendants.

Case No: _____

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I declare that I am a partner at the law firm of Reese LLP, whose address is 8484 Wilshire Boulevard, Suite 515, Los Angeles, California 90211. I am not a party to the within cause, and I am over the age of 18 years. My email address is *ggranade@reesellp.com*.

I further declare that on September 24, 2020, I served a true and correct copy of each of the following documents:

PLAINTIFFS' OPPOSED MOTION TO COMPEL COMPLIANCE WITH PLAINTIFFS' SUBPOENA TO NON-PARTY ARCH TELECOM, INC.;

PLAINTIFFS' MEMORANDUM OF LAW IN SUPPORT OF OPPOSED MOTION TO COMPEL COMPLIANCE WITH PLAINTIFFS' SUBPOENA TO NON-PARTY ARCH TELECOM, INC. and the attached Certificate of Conference;

DECLARATION OF GEORGE V. GRANADE IN SUPPORT OF OPPOSED MOTION TO COMPEL COMPLIANCE WITH PLAINTIFFS' SUBPOENA TO NON-PARTY ARCH TELECOM, INC. and Exhibits 1 through 5 thereto; and

[PROPOSED] ORDER GRANTING PLAINTIFFS' OPPOSED MOTION TO COMPEL COMPLIANCE WITH PLAINTIFFS' SUBPOENA TO NON-PARTY ARCH TELECOM, INC.,

by electronic service by transmission of the documents via email to the following persons at the following email addresses, in accordance with a written agreement dated September 18, 2020, to accept service via email:

William Raney, via email to *braney@clrkc.com*
Caryn Stilwell, via email to *cstilwell@clrkc.com*

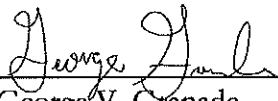
COPILEVITZ, LAM & RANEY, P.C.

310 West 20th, Suite 300
Kansas City, Missouri 64108
Telephone: (816) 277-0856

Counsel for Arch Telecom, Inc.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on September 24, 2020, at Santa Monica, California.

By: 
George V. Granade